



Dkt. 61020-A/JPW/PJP

Declaratory
Action
SAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael R. Rosen et al.

Serial No.: 09/505,458

Filed : February 11, 2000

For : CARDIAC REMODELING
(Amended from CARDIAC JUNCTIONAL REMODELING)

1185 Avenue of the Americas
New York, New York 10036
December 1, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231

**COMMUNICATION IN RESPONSE TO NOTICE TO
FILE MISSING PARTS OF APPLICATION AND PETITION
FOR A FIVE MONTH EXTENSION OF TIME**

In response to a Notice to File Missing Parts of Application under C.F.R. § 1.53(d) (Exhibit A) and in compliance with 37 C.F.R. § 1.63, applicant files herewith an original Declaration and Power of Attorney (Exhibit B). The Declaration refers to the application's above-identified serial number and filing date. In accordance with the May 1, 2000 Notice, the deadline for submitting the Declaration was July 1, 2000. Applicants request a five (5) month extension of time to respond to the Notice pursuant to 37 C.F.R. § 1.17 and § 1.136. The required fee for the five (5) month extension is \$945.00 for a small entity and payment for this fee is enclosed. Accordingly, a response to the May 1, 2000 Notice is now due December 1, 2000. Thus, this response is timely filed.

Applicant also submits herewith an original Small Entity Declaration (Exhibit C). This Declaration should establish applicant as small entity.

Applicant: Michael R. Rosen et al.
Serial No.: 9/505,458
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Page 2

In response to the Notice, a payment of \$65.00 is enclosed to cover the surcharge for a small entity.

A check totaling \$1010.00 for the \$945.00 extension fee and the \$65.00 surcharge is enclosed. No additional fee is deemed necessary in connection with this Communication. In the event that any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Assistant Commissioner for Patents,
Washington, D.C. 20231.

Peter Phillips 12-1-00
Peter J. Phillips Date
Reg. No. 29,691



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